The Semi-Weekly Sentinel.

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THE SENTINEL.

Legislature of North Carolina

SENATE.

Evening Session.

FRIDAY, March 24, 1871.

Senate called to order at 7 1-2 o'clock, President Warren in the chair.

On motion of Mr. Allen the vote by which the charter of the bank of Mecklenburg ... was reconsidered and ... passed several readings. Its provisions ... in harmony with the advanced ... ideas of this generation.

... resolution authorizing Treasurer ... to borrow two hundred thousand dollars ... to supply a deficiency in the Treasury, passed under the operation of the previous question.

Mr. Love's supplemental bill for the ... of Swain passed several readings.

Whereupon Mr. Bowden's sheriff was relieved by a resolution, he imploring Mr Love in most pathetic language not to move to amend it.

The commissioners of Hertford county were authorized to levy a special tax to rebuild their court house which was burnt up some time since; passed.

The Senate adjourned.

SENATE.

SATURDAY, March 25, 1871.

Called to order by President Warren.

Journal of yesterday read and approved.

On motion of Mr. McClammy, the bill concerning the special court of Wilmington was made the special order for Tuesday night.

Mr. Currie from committee on engrossed bills, Robbins of Davidson from committee on enrolled bills, reported.

Bill allowing the commissioners of ... to levy a special tax passed its ... [illegible] ... reading.

... bill for the reduction of ... [illegible] ... Mr. Worth which passed its second reading ... was taken up, and the ... third reading. (As we have ... this bill ... we will not do so again.) It was very generally discussed in all its readings, by Messrs. Graham, Worth, Cowles, Robbins, of Davidson, ... Merrimon, Cook, Gilmer, Linney and Love.

Mr. Graham, of Orange, renewed his amendment made yesterday on second reading, but withdrawn.

Mr. Cowles offered an amendment to the second section, which provides that no ... by the commissioners under authority ... of the State's stock in the ... corporations in which the State is interested, shall not be consummated until the whole is disposed of, in accordance with a provision of the bill which requires that the stock of the State shall be sold for par value, payment being received in old State bonds.

The question was put upon the amendment of Mr. Cowles, a ... call of yeas and nays it was rejected.

Question on the amendment of Mr. Graham, of Orange, was put and adopted.

Mr. ... moved to amend by striking out of the preamble that portion which recites the causes of the losses of the State; lost.

Mr. Troy then offered an amendment, that after surrendering all of the assets of the State, the State would make no further provision for any other debt.

Mr. Graham, of Orange, was opposed to the amendment. He would never vote to repudiate any portion of the honest debt of the State. Surrender all we have and let that settle a certain species of the debt, but the balance, he should insist, should be provided for as best we could.

Mr. Cook proposed to surrender everything the State has, as an honest bankrupt, and let it have a clean sweep of its indebtedness. After we had done this he would never vote to pay one additional cent. He should not vote to tax the people one cent after surrendering all the State had to pay her debt.

Mr. Linney concurred in this with Mr. Cook, and as to the special tax bonds, he would never vote one cent towards their payment. They were conceived in sin, and in iniquity brought forth, and should so far as he was concerned, go the way of all evil.

Mr. Flemming then submitted a substitute for the whole matter, and argued at length in its support.

Mr. Flemming said:

He arose for the purpose of explaining the object of the substitute, that while he endorsed the provisions of the bill offered by the Senator from Randolph he could see no good that would result from its passage; it only proposed to reduce the debt fifteen millions of dollars and this by striking off the right arm of the State in taking her assets yet leaving the great bulk of the debt still resting upon her. That while his substitute offered the same terms of compromise it went further and provided for a just and permanent settlement of the entire debt, which by the adoption of this measure, might be reduced to twelve millions, and by the application of the assets, as proposed in the bill would be still further reduced to about five millions. This provision of the bill was just to creditors as it proposed to pay them as much as could be realized by sale, but was as little as the State could expect them to take, placing the debt within the capacity of the State to pay, thus removing the great trouble or bone of contention from the political arena.

Mr. Troy withdrew his former amendment, and offered the following instead: After the words "and creditors," insert "as the only means of payment the State can apply to debts incurred for the interest of of the State in such internal improvements or corporations." Lost for want of a quorum.

The question was then put on the substitute of Mr. Flemming, upon which he called the yeas and nays, wishing to see if the Senate proposed to levy a tax or not.

The call for the yeas and nays was not sustained.

The substitute of Mr. Flemming was not adopted.

Mr. Cowles submitted an additional amendment, requiring bond of treasurer and clerk provided for under this bill for faithful discharge of duties. Adopted.

The Senate agree upon five as the number of the commissioners.

The appointment of the commission was left to the President of the Senate and Speaker of the House.

Mr. Cowles offered another amendment, that the action of the commission shall be submitted to the General Assembly for confirmation. Amendment lost.

The question on the final passage of the ... was put—under call of the previous question, and it passed by the following vote:

YEAS—Messrs. Adams, Bellamy, Brogden, Council, Crowell, Flemming Gilmer, Graham, of Alamance, Graham, of Orange, Hawkins, Jones, Love, Mauney, McClammy, McCotter Merrimon, Morehead, Murphy, Robbins, of Davidson, Robbins, of Rowan, Troy, Waddell and Worth—23.

NAYS—Messrs. Battle, Brown, Cook, Cowles, Currie, Edwards, Epps, Latham, Linney, Moore, Price, and Skinner—12.

Message from the House announcing the passage of a supplemental act to the act creating a commission to investigate fraud, corruption, &c.—Rules were suspended and the bill passed its several readings.

The bill allowing the Treasurer to borrow money was taken up and passed its second reading.

On motion of Mr. Love, rules were suspended, and Senate bill 493 was taken up and made special order for Monday next.

On motion of Mr. McClammy, House bill appointing a committee to investigate the Treasury department, books, &c., was taken up, and passed.

Mr. Currie introduced resolution that engrossing clerk be allowed to employ an assistant from now until the end of the session. Passed.

Mr. Murphy introduced a concurrent resolution that the General Assembly adjourn sine die on April 3rd, at 6 A. M. Lies over.

On motion of Mr. Cowles, rules suspended and bill chartering Statesville Air Line Railroad was taken up and made special order for Monday night.

On motion of Mr. Morehead the rules were suspended, and bills 477, and 479 were taken up and considered, and both passed.

Bill making South and Dan river a lawful fence in Rockingham county, taken up and put on its passage. Pending its consideration the Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, March 25, 1871.

House called to order at the usual hour. Prayer by Rev. Mr. Hardy, of the House.

[illegible]

Mr. Crawford from the Committee on Engrossed Bills submitted a report.

[illegible] ... from his seat by sickness.

By Mr. Sparrow: A bill to provide for the registration of receipts in certain cases; placed on calendar.

By Whitley, col: A bill to give homes to actual settlers in Craven and Carteret counties; referred.

By Mr Copeland: A bill to allow the Commissioners of Wayne county to levy a special tax; referred.

Mr Broadfoot from the Judiciary Committee, submitted a report.

On motion of Mr. Womack the bill to incorporate the Haywood and Cane Creek R. R., was amended and passed its second reading.

The rules were suspended for the bill to go to its third reading.

Mr. Broadfoot said that this proposed road would materially injure the Western Railroad, in which the State was largely interested. He had never heard of the bill until it was reported upon. He moved to recommit it to the Committee on Internal Improvements that he might give reasons why the bill should not pass; it was nothing but fair that he should have an opportunity to be heard. The motion to recommit was put to a vote and lost.

On motion of Mr. Ashe the bill to allow the Commissioners of Tyrrel county to levy a special tax was taken up and passed its third reading by a vote of yeas 64, nays 5.

On motion of Mr. Strudwick the resolution in favor of Jas. H. Ennis, was taken up and passed its several readings.

Mr. Sparrow, from the Judiciary Committee, submitted a report in the case of Judge E. W. Jones, recommending the adoption of the resolution impeaching him of high misdemeanors in office.

Mr. Jones, of Caldwell, from the Committee on Claims, and Mr. Ashe, from the Committee on Finance, submitted reports.

On motion of Mr. Luckey, the bill to incorporate North State Lodge, No. 26, I. O. O. F. of Salisbury, was taken up and passed its several readings.

On motion of Mr. Dunham, the bill to allow the Commissioners of Wilson county to issue bonds was taken up and passed its second reading—yeas 65, nays 12.

On motion of Mr. Jordan, the bill supplemental to the act creating a commission to examine into charges of corruption and fraud was taken up. (The bill enlarges and defines the power of the commission.)

Mr. Johnston, of Buncombe, offered an amendment which forbids any witness who might be summoned before this committee from pleading the right of Attorneys to withhold confidential communications made between counsel and client.

Mr. Johnston argued in favor of his amendment on the ground that exigencies of this case required that this commission should have extraordinary powers.

Messrs. Hargrove, Gregory, Waring and Sparrow opposed the amendment.

Mr. McNeill would support the amendment if an exception was made in favor of Attorneys. He offered an amendment to that end.

Messrs. Welch and Strudwick argued at length in favor of Mr. Johnston's amendment on the ground that this measure was designed to meet the requirements of an extraordinary case.

On motion of Mr. Jordan, the previous question was ordered.

The question recurred upon Mr. McNeill's amendment, which was adopted.

The amendment of Mr. Stanford, limiting the disclosures to facts which came to the persons knowledge before the commission of the fraud, was adopted and the bill then passed its several readings.

On motion of Mr. Sparrow, the resolution impeaching E. W. Jones, Judge of the Superior Court of the 2d Judicial District was taken up and adopted by a vote of yeas 76, nays 13.

The following voted against the resolution: Bryan, of Jones, Bunn, col., Dudley, col., Hargrove, Loftin, Lyon, Morgan, of Montgomery, Morgan, of Wake, Nissen, Reavis, col., Smith, of Halifax, col., Tucker, col., Wills, col.

By Mr. Sparrow: A resolution requiring the Speaker to appoint a Board of five Managers to conduct the impeachment trial of E. W. Jones, Judge of the second Judicial District. The resolution was adopted under a suspension of the rules.

By the same: A resolution sending a message to the Senate informing that body of the action of the House in regard to Jones' case. The resolution was adopted under a suspension of the rules.

Mr. Withers moved to reconsider the vote by which the House adopted the resolution impeaching Judge Jones. He said he did so, because he did not want the session of the Legislature prolonged. He thought this session had cost the people enough and wished to bring it to a close. He thought the matter could be easily dealt with next session.

Mr. Jarvis, (Mr. Robinson being in the chair) next occupied the floor in opposition to the motion. Mr. J. detailed to the House a long list of outrages that had been committed by Judge Jones. He said that the matter of cost should not be considered when the question was whether the people should be relieved of a man who was not only a disgrace to the bench, but to humanity, &c.

Mr. Jarvis continued for sometime in opposition to the motion.

Mr. Welch said the people were demanding an adjournment, and he did not want any more impeachment until the next session of this body. He was not in favor of paying $60,000 for the impeachment of a Judge at this time, &c.

Mr. Waring was in favor of reducing the *per diem* of members to $2 or $1 per day and stay here all the summer, if necessary, that these infamous officials might be properly and justly dealt with. He was totally opposed to the motion to reconsider, &c.

Mr. Jarvis again took the floor insisting that the House should take immediate and prompt action in this matter. He said that this disgraceful and abominable conduct of Judge Jones was a matter of public notoriety and sworn evidence of it was in possession of the Judiciary Committee. He did not urge prompt action in this matter on party grounds, but as a representative of the people. As to the cost, the gentleman from Haywood, most largely overestimated it. Its cost, as compared to the Holden impeachment trial, could be well illustrated by a comparison between the cost of a 4 horse wagon and a railroad, &c.

Mr. Jarvis argued at length in opposition to the motion to reconsider and in advocacy of a speedy trial, &c.

Mr. Sparrow said:

The gentleman from Haywood, as is usual with that gentleman, urges the reconsideration of this vote upon the ground of party policy and party expediency. Mr. Speaker, the question rises far above all such considerations; it is one which addresses itself to the sense of decency and to the justice of every member on this [illegible] the case of Judge Pearson or any other Judge. Their cases are not [illegible] publication, charging him with scandal misbehavior, was called to the attention of the House, and thereupon, by a vote almost unanimous, a Committee was appointed to investigate the charges. Here is the result sir, this large role of sworn testimony, taken by this Committee, with other testimony of subsequent misconduct and beastly drunkenness. He left this city last Saturday in this condition, had to be taken to the omnibus, held in his seat, taken to the cars, too drunk to walk alone or to talk. He was at the hotel in Goldsboro', in a state of drunkeness, with a bottle of liquor in his hand. He arrived at Tarboro' in a similar condition. He was drunk at Williamston, whither he had gone to hold a Court, on Monday last, and then again, on Tuesday, where he was to hear a case at chambers. Now, sir, my Courts, in the second district, are going on. Beaufort Court is to be held next week, Pitt follows. Is this drunken debauchee to hold these Courts and to disgrace one bench with a mockery of justice? Not only so, sir, but he is to hold the Courts in that district next fall, as they are usually held, before the meeting [illegible] presence of such a moral leper, to sit in judgment over them until next winter? Can the gentleman from Haywood see no merit in a case like this? Now as to time! How long will it take to examine half dozen witnesses in a case like this? Sir, we could try five or six assaults and batteries in a county Court in a day, each one of greater magnitude as to witnesses than this. It can be submitted to the Court on the part of the prosecution without argument. It cannot take more than twenty four hours.

Mr. Guyther argued in favor of reconsideration.

Mr. Strudwick said he had not intended to say one word on this motion, but as the gentleman from Washington has seen proper to bring his name forward in the discussion, he felt called on to say a few words. The gentleman from Washington has complained bitterly that a guard has been kept on Judge Jones' conduct, that the telegraph wires have been kept busy, that even the sanctity and privacy of Judge Jones' home has been invaded to find cause against him.

Now, Mr. Speaker, this shows that the gentleman knows nothing of the testimony taken by myself as Commissioner in Plymouth, for he would then see that one John Jones, body servant to the Judge, a big black buck negro fellow, testifies that on one occasion, as he and the Judge were lying on the bed engaged in social chat that Sally Tilghman, alias Sally Boston, and another negro prostitute was in the room, and while witness and the Judge were enjoying that delightful and intimate social intercourse stretched on the Judge's bed, the said women got drunk on the Judge's whisky; and this, Mr. Speaker, is the privacy the General Assembly of North Carolina is blamed for violating; this is the privacy that is to stand between North Carolina and one of her unworthy servants, a privacy common to negro men even to their occupying a place in bed with his Honor and common, to the basest negro prostitutes—so common to them that they know and acknowledge no restraint to their develish orgies even in his very presence.

He (Mr. S.) left the question of the impeachment of Judge Jones to the House, but he did say that if drunkenness in the Yarborough House in this city be sufficient cause for impeachment, then his testimony would convict him, as he saw him (Jones) the night he left in a state of beastly intoxication.

The only reason the committee did not report a resolution impeaching Judge Jones is that the resolution of the House restricted them to an inquiry into the Sally Tilghman affair, and the testimony there was so conflicting that they believed they were justified in the course they did adopt. Sarah Tilghman the only witness in that case was absent and could not be found by the commissioners, and the committee felt that in view of the fact that she was notoriously the kept mistress of Judge Jones, and could entirely disprove the charge against the Judge were it false, they were justified in saying the circumstances did not entirely acquit the Judge of complicity in and responsibility for her absence.

Mr. Phillips was in favor of a speedy investigation of the matter. In reference to allusions that were made in regard to Judge Pearson's habitual intoxication, he said that the *Chief Justice's infirmities in this particular had been known all over the State* for thirty years. That the Judge in despite of this well known infirmity, had been elevated from the Superior court bench to that of the Supreme court, and also recently re-elected Chief Justice by an almost unanimous vote. The Chief Justice almost had a chartered right to indulge this infirmity. He wanted this investigation to go on and was opposed to reconsideration, &c.

Mr. Withers called the previous question on his motion to reconsider. The call was sustained and the motion to reconsider was put to a vote and was adopted by the following ballot:

YEAS—Messrs. Anderson, Atwater, Brooks, Bryson, Carson, Collis, Dickey, Dudley, Garrison, Hampton, Hargrove, Houston, Johnston, of Buncombe, Johnston, of Edgecombe, Jones, of Caldwell, Jones of Northampton, Kelsey, Lassiter, Loftin, Lyon, Marler, Maxwell, Mills, Mitchell, Paylor, Rankin, Reavis, Reid, Shull, Tucker, Tomlinson, Welch, Withers, Willis, and Wilcox.

NAYS—Messrs. Armstrong, Ashe, Atkinson, Broadfoot, Bryan of Jones, Chamberlain, Copeland, Crawford, Currie, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Gatling, Goodwin, Grayson, Gregory, Guyther, Harris of Guilford, Hardy, Henderson, Hinnant, Johns, Jordan, Kelly of Davie, Luckey, Martin, McAfee, McAllister, McNeill, Morris, Morgan of Montgomery, Page, Phillips, Regan, Robbins, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Strudwick, Waring, Womack, Woodhouse and Williamson.

Mr. Jones, of Caldwell, moved to reconsider the vote by which the resolution was adopted informing the Senate of the action of the House in the case of Judge Jones, was adopted. The yeas and nays were called and, the motion was adopted by a vote of yeas 44, nays 40.

On motion of *Mr.* Withers, the consideration of the adoption of the resolution sending a message to the Senate in reference to the action of the House in the Judge Jones matter, was postponed for the consideration of the *per diem* question.

Mr. Nicholson then offered a resolution fixing the *per diem* of members, after the 3d of April, at $2 per day.

Mr. Furr moved to amend by saying $1 per day.

The yeas and nays were called, and the [illegible] yeas 51, nays 27.

The resolution as amended then passed [illegible]

On motion of *Mr.* Johnston, of Buncombe, the rules were suspended in order to put the resolution on its third reading.

Mr. Loftin moved to amend by making the *per diem* $5, lost.

Mr. Robinson moved to amend by making the *per diem* $2 per day; carried.

The previous question being called and sustained, a ballot was taken and the resolution, as amended, passed its third reading by a vote of yeas 62, nays 31.

Adjourned.

SENATE.

MONDAY, March 23, 1871.

Called to order by President Warren.

Journal of Saturday read and approved.

Messrs. Currie, from committee on engrossed bills; Robbins, of Davidson, from committee on enrolled bills; Gilmer and Linney, from committee on judiciary; Merrimon, from committee on internal improvements; Graham, of Alamance, from committee on engrossed bills, also from the judiciary committee, reported.

Message from the House announcing the passage of various bills.

[illegible] meet at 10 a. m. adjourn at 2 p. m.; meet at 3 and adjourn at 5 p. m.; meet at 7 1-2 and adjourn at 10 p. m. daily.

Mr. Cook said it was evident that the people were anxious for the Legislature to adjourn.

Mr. Robbins, of Davidson, said he was as anxious to get away from here as any one, but was opposed to making pack horses of ourselves and work ourselves to death on a few private bills. This constant sitting of the Senate retarded legislation and caused much of it to be half done.

Mr. Moore opposed it. Pending consideration, the chair announced the

SPECIAL ORDER.

A bill authorizing commissioners of Hertford county to levy a special tax, put upon its third reading; passed.

Bill in relation to the meadows in Rockham county, passed its several readings.

Mr. Linney, a joint resolution that the general assembly adjourn on Monday, April 3d, without day. Moved suspension of the rules, to put resolution on its passage. Motion to suspend failing, the resolution lies over.

Resolution authorizing the Treasurer to borrow $200,000, was passed.

Bill constituting a board of Internal Improvements. (Appoints W. F. Martin, John L. Morehead, Dr. A. J. DeRossett, John W. Graham, W. N. Willard, D. A. Davis, Ed. W. Jones, and W. L. Love the board.) Passed its several readings.

Mr. Love introduced a resolution that the Secretary of State have published in the SENTINEL, a bill concerning convicts. Passed.

Mr. Merrimon obtained suspension of the rules, to take up a bill concerning the Western North Carolina Railroad, and introduced therefor a substitute, which was put upon its several readings.

Mr. Love offered two amendments to the bill, providing that the Western North Carolina railroad shall be completed according to the legislation thereon prior to August 1868, and that whatever amounts may be saved out of the $7,000,000, appropriation shall be applied only to the building of the road from Asheville westward. Adopted.

Mr. Worth favored any bill that would build the Western N. C. railroad, but insisted that it be so worded as to save the State, or the interest in the N. C. R. R., in its mortgage bonds issued in favor of that road. If the road was sold, without a reference to the debt of the State, it would merely leave the State with a debt of two and a half millions in mortgage bonds in the central road and nothing to pay with.

Mr. Gilmer concurred with the general views of Mr. Worth.

Mr. Flemming said that it was one of two alternatives, either to sell the interests of the State and thereby secure the completion of the road, and thus save to the State something, or, let it be sold as it will be, and soon, under the hammer, and go for a mere song, the State losing all.

Mr. Merrimon stated that unless this bill was passed, there were already writs against the company for a large amount, and lawyers were already engaged to bring more suits, and the whole affair be sold under the hammer. It was necessary to take just such steps as these to save to the State and private Stockholders, their interest in the road.

Mr. Gilmer offered an amendment striking out the section allowing the sale of stock to who ever should bid without proper restrictions; adopted.

Bill then passed its second reading.

Bill put upon its third reading and passed.

SPECIAL ORDER.

a bill fixing the salary of the State Geologist, Supt. and Asst. Supt. Insane Asylum and Keeper of the Capitol.

Considered section at a time.

Mr. Dargan thought the effect of the bill would be to weaken the State Geologist, which would be an injury to the State. Such an officer was necessary now to survey and publish to the world the mineral deposits of the State, and he was opposed to any thing that would weaken his usefulness.

Messrs. Olds and Jones opposed the bill.

Mr. Love advocated it. Said that the bill did not ask a new salaried office, not an additional expense, but simply divided the appropriation now made in order that the object of the appropriation may be accomplished.

Mr. Murphy opposed the bill.

Mr. Robbins, of Rowan, opposed the bill for various reasons given, generally concurring in the opinions of other gentlemen who opposed it.

Section first, providing that W. C. Kerr be continued *pro tempore* State Geologist, and shall have an assistant, C. D. Smith. Lost.

Mr. Cowles moved an amendment, as a second section, that the salary, traveling and incidental expenses of the office shall not exceed $2500.

The substitute did not prevail.

Mr. Robbins, of Davidson, offered an amendment, that W. C. Kerr be continued as State Geologist, and that he be required to furnish to the general assembly itemized report of his official expenditures.

Mr. Troy moved to insert "at a salary of $4000." Lost.

Question recurred upon the amendment of Mr. Robbins, of Davidson. Prevailed. Section as amended adopted.

The third section provides the salary of the Superintendent of the Insane Asylum at $1800, and salary of the Assistant Superintendent at $1200.

The committee recommended to amend by inserting $2000 for Superintendent and $1000 for the assistant.

The amendment suggested by the committee as to the Superintendent was lost; that as to the assistant also lost. Section [illegible]

Section four, fixes the salary of the Keeper of the Capitol at six hundred dollars per annum. Adopted. [illegible] weights and measures, and the arsenal, in the hands of the Keeper of the Capitol.

Bill then passed second reading.

Bill put upon its third reading.

Passed 22 ayes, 9 nays.

Price, col., introduced a joint resolution concerning adjournment.

Laid over.

Mr. Robbins, of Rowan, reported from the committee on Corporations.

Mr. Graham of Orange, from committee on Judiciary, reported.

Adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, March 27th, 1871.

House called to order at the usual hour. Prayer by Rev. Mr. Atkinson, of the city.

Journal of Saturday read and approved.

Mr. Currie presented a memorial from certain citizens of Fayetteville, praying that the bill to extend the corporate limits of that town might be passed. The memorial was referred to the appropriate committee.

Mr. ... from the Committee on Internal Improvements, submitted reports.

By *Mr.* Bryson: A resolution in reference to adjournment; placed on Calendar.

By Tucker, col.: A bill in favor of pedlars; referred.

By *Mr.* McAllister: A bill to authorize the Commissioners of Alamance county to levy a special tax; placed on Calendar.

By *Mr.* Chamberlain: A bill to incorporate Hollywood Cemetery; referred.

By *Mr.* Johnston, of Buncombe: A bill supplemental to the act to compel sheriffs to settle their public taxes; placed on Calendar.

By *Mr.* Stanford: A resolution allowing Mr. Gregory to enter his protest upon the Journal, giving his reasons of dissent in reference to the action of the House in presenting a Convention bill with the "two-thirds" in it; placed on Calendar.

On motion of *Mr.* Bryson, the rules were suspended, and his joint resolution adjourning *sine die* on Monday next, April 3d. at 6 o'clock a. m., was taken up. Pending any definite action, the

SPECIAL ORDER

was announced. The bill consolidating that portion of the N. C. R. R. between Raleigh and Goldsboro' with the Atlantic and North Carolina railroad, being the special order for this hour, the House proceeded to its consideration.

The question recurred upon Mr. Wilcox's amendment striking out the provision for a transfer of $1,000,000 of the State's stock in the N. C. R. R.

Mr. Loftin took the floor in opposition to the amendment and in support of the bill as it was reported from the committee.

Mr. *Currie* moved to lay the whole matter on the table. The yeas and nays were called and the motion to table was rejected by a vote of yeas 39, nays 50.

Mr. Strudwick said he would vote "no" on this proposition to table, as he wished to have the bill discussed on its merit, if it had any. This vote would not prevent him from voting against the bill, when the final test came, &c.

Tucker, col., spoke in favor of the bill.

Mr. Wilcox argued in remarks of length the adoption of his amendment as proper to protect the interest of the State. He very much doubted the policy of this consolidation in any shape, but he could not think of voting for this bill unless his amendment was adopted.

Mr. Martin next occupied the floor in opposition to the amendment. He argued at length, showing how the interest of the State, as a stockholder in the Atlantic road, would be materially advanced by consolidation, without at all injuring her interest in the N. C. R. R. He proceeded to show how this present railroad monopoly at Raleigh was paralizing the business energies and enterprise of the eastern section of the State, &c. It caused commercial stagnation in the most important towns and cities of the eastern section by the isolation which this monopoly at Raleigh caused. Mr. M. concluded by an eloquent appeal to the House to pass the bill as the hope of prosperity of the east was based upon it.

Mr. Withers moved to amend by making the transfer of stock $650,00 instead of $1,000,000.

Mr. Sparrow followed in advocacy of the bill. He occupied the floor at some length in detailing the various advantages which would accrue from this consolidation. The present policy was inaugurated and carried out to build up the Raleigh and Gaston railroad, in which the State had no interest, and the State of Virginia, to the detriment to shippers generally, and particularly the eastern portion of this State.

Mr. Guyther was opposed to the bill.

Mr. Ashe followed in support of the measure and by statistics showed how oppressively this present policy operated upon the shippers generally as well as those of the eastern portion of the State. Mr. A. stated, during his remarks, that one could ship a bale of cotton from Charleston to New York cheaper than one could from that point. Mr. A. also stated that they had been prevented this season from shipping to this point, 20,000 bags of salt by the unjust discrimination at Goldsboro'.

Mr. Rankin offered a substitute for the second section which proposes, in substance, that a meeting of the stockholders of the North Carolina Railroad shall pass upon this proposition of consolidation and if it be accepted the road so consolidated shall admit the N. C. R. R., as a stockholder to the amount of $500,000.

Mr. Welch thought that this measure of consolidation of this portion of the N. C. R. R. with the Atlantic would be unfair to those who held the bonds of the N. C. R. R., dividends of which were solemnly pledged to meet the interest thereon. Mr. Welch argued to some length against the entire bill. He did not think it would operate advantageously to the interest of the State. He thought the representatives of the people should guard with the utmost jealously this great State work, the N. C. R. R. He was afraid that there was some hidden motive behind these persistent attempts to get control of the N. C. R. R. which certain parties were constantly making.

Mr. Rankin's substitute for the Second Section was put to a vote and rejected.

Mr. Phillips was in favor of the policy indicated in the bill, but thought the present bill defective in some of its essential particulars. He thought the proposition of the $1,000,000 transfer of stock was a very unfair one for the State. He was willing to vote for the bill if the figures were made to suit better. He thought the transfer of $500,000 of stock would be much nearer the mark.

[illegible] transfer of stock $650,000 instead of $1,000,000 was accepted.

Mr. Withers's amendment [illegible] was put to a vote and lost.

(Mr. Strudwick called to the chair.)

Mr. Jordan said he saw in this bill the first step in the process of disintegration of the North Carolina road. It is proposed by this bill to transfer to the Atlantic & North Carolina railroad that portion of the N. C. road lying between Raleigh and Goldsboro. The next step will be to transfer to the Raleigh & Gaston road that part of the N. C. road that lies between Raleigh and Greensboro. The third will be to transfer to the Richmond & Danville road that part of the N. C. road which lies between Greensboro and Charlotte. Then the whole road will have vanished like a mist and the State been gerrymandered out of the road and will have nothing to show for it.

He had another reason: The dividend of the N. C. road is $240,000 a year. The bonus paid the road by the Raleigh & Gaston railroad is $90,000 a year; dividend and bonus, $330,000. The State now receives three fourths of this sum, to wit: $247,000. Pass this bill, by which you [illegible] $220,000 as her share of the receipts of the road; a simple throwing away of $27,500 a year by the State, *without a reason*, and the pocketing of the same amount by the private stockholders, *without consideration* therefor. He could easily see why the private stockholders favor the passage of this bill.

Another reason still: What becomes of the charter rights of the bondholders of the N. C. road? This entire road is mortgaged to secure its bondholders. How then can the State sell or otherwise alien any part of this mortgaged property?

The bill then passed its second reading by a vote of yeas, 44; nays, 40.

On motion of Mr. Withers, the resolution holding night sessions of the House was taken up.

Mr. McAllister offered a substitute having afternoon sessions instead of night sessions, which was adopted. The resolution was then adopted.

UNFINISHED BUSINESS.

The resolution informing the Senate of the passage by the House of a resolution impeaching Judge Jones, being the unfinished business, its consideration was resumed.

Mr. Gregory said he was very anxious that the Legislature should adjourn, but he did not see how the House, in justice to its sense of duty to the people, could recede from its steps towards removing from the bench a Judge who had in the most flagrant manner, disgraced the ermine and polluted the very foundations of justice itself, &c. Mr. G. continued for sometime in support of the resolution.

Mr. Robinson said that on Saturday last, he had expressed himself as being doubtful whether he would vote to go into this impeachment at the close of this session unless the *per diem* of members was reduced. This had been done, as far as the House had power, and now as it has been shown that his, Judge Jones' impeachment could be effected by the presence of only a few members of the House to meet with the speaker, and adjourn from day to day, and a bare majority of the Senate to try him, he would in consequence of these things and certain remarks made by the gentleman from Granville, (Mr. Hargrove) this morning, which he understood to be that the *House had failed to make out a case against Judge Jones*, the effect would be to place our party in a false light, now said that he would favor the passage of the resolution to notify the Senate at once.

He was determined that so far as he was concerned, he should have no responsibility on him for keeping in high position a man who was not only a disgrace to the Judiciary of North Carolina, but to civilization and decency as well. His tried on the single charge preferred need not occupy *three* days, and he was willing to trust the matter in the hands of a *quorum* of the Senate and (*a majority of them be members of the Republican party.*)

(The Reporter does not report the debate on this matter as the same ground was gone over as on last Saturday.)

The previous question being called the resolution was adopted.

Mr. Sparrow then offered five articles of impeachment against Judge E. W. Jones, which were adopted by the House.

Article 1st recites charges of drunkenness and disgraceful conduct in Raleigh.

Article 2 in reference to the same thing in Goldsboro'.

Article 3 in relation to the same in Tarboro'.

Article 4 charges the same misdemeanors in the town of Williamston, Martin county, where he went to hold Court.

Article 5 contains charges a like nature to those in the 4th article of occurrences in Williamston, but differing in certain particulars.

On motion, the House then adjourned.

HOUSE OF REPRESENTATIVES.

AFTERNOON SESSION.

MONDAY, March 27, 1871.

House called to order at 3 1-2 o'clock.

On motion of Mr. Johnston, of Buncombe, the bill supplemental to the act compelling Sheriffs to settle for public taxes was taken up, (the bill provides that the provisions of said act shall not apply to Sheriffs in counties where there have been or are suits in regard to the office.)

Mr. Dunham offered an amendment excepting the Sheriffs of Wayne and Wilson, which was accepted.

On motion of Mr. Loftin, the whole matter was laid on the table.

The chair announced Messrs. Phillips, Withers, Ashe, McAfee and Settle, as the Board of Managers to conduct the impeachment trial of Judge Jones, before the Senate.

By Mr. Jones, of Caldwell: A resolution holding three sessions of the House daily; placed on calendar.

On motion of Mr. Carson, the bill to authorize the Commissioners of Alexander to levy a special tax was taken up, amended and passed its second reading by a vote of yeas 70, nays 0.

The bill entitled "an act to raise revenue was taken up and passed its third reading, yeas 53, nays 35.

On motion of Mr. Ashe, a bill to allow the county commissioners of New Hanover county to levy a special tax, was taken up and passed its second reading, 67, nays 5.

On motion of Mr. Kelly, of Moore, the bill to allow the commissioners of Moore county to issue bonds was taken up and passed its second reading by a vote of yeas 68, nays 5.

Mr. Harris, of Franklin, was allowed to record his vote in the negative on the bill consolidating that portion of the N. C. R. R. between Raleigh and Goldsboro' with the A. & N. C. R. R.

By Williamson, col.; A bill to allow the commissioners of Franklin county to issue bonds; referred.

[illegible] allow the commissioners of Wilson county to issue bonds was taken up and passed [illegible] nays, 7.

Adjourned.

For the Sentinel.

LOUISBURG, March 23, 1871.

Editors Sentinel: After a session of nine days the spring term of Franklin Superior Court closed on yesterday. The criminal docket was unusually large. Including the barn-burning cases from Wake, there were fifty-six convictions. In every case submitted to a jury a verdict of guilty was returned. This speaks well for the skill and ability of Gen. Cox, our most efficient Solicitor, who was ably assisted in the prosecution by your gifted and distinguished young townsman, Fab. H. Busbee.

The barn-burning cases occupied Thursday, Friday and Saturday; Solicitor Cox and Judge Fowle appearing for the State, and Messrs. A. M. Lewis and Fab. H. Busbee for the defendants. Every point was strongly contested by the able counsel on either side. Judge Fowle made the closing [illegible] the best speech that he ever heard him make. He brought all of his great powers into active play. The counsel on both sides did all that could be done for the parties they represented. The jury were out but a few minutes. I am informed that the jury was unanimous for conviction on the first ballot.

By the way, I see you do the jury injustice—unintended I have no doubt—in your Tuesday's paper, in saying it was composed of four negroes, three scallawags, and five Democrats. The jury was composed of as follows: William Pace, Joel Thomas, Rufus J. Place, Allen Harris, and Henry Minga, Democrats; Samuel T. Wilder, who professes no party allegiance, but it is understood usually votes for most of the names on the Democratic ticket, Chas. H. Thomas, and H. C. Jones, Republicans, and William Perry, Henry Yarborough, Henry Dunston, and Lewis Hawkins, colored men. So you see that the jury in its political complexion, was about equally divided. The community here, think that the promptness with which the verdict was rendered is very creditable to the jury. There were sixteen on trial for the conspiracy, fourteen of whom were found guilty, and sentenced to six months imprisonment in the jail of Wake county.

Alvin Hackney was convicted of burning Mr. Lashley's gin and sentenced to twenty years in the penitentiary.

Evil-doers in this section will long remember this visit of Solicitor Cox, and it is to be hoped that the promptness with which justice has been measured out to the guilty, will have a tendency to deter those who might be inclined to violate the laws from doing so.

S.

For the Sentinel.

GOVERNOR'S SALARY.

To H. T. Jordan, Esq.:

Under the head of "Executive Department," article 3, section 15, the Constitution says, "The officers mentioned in this article shall, at stated periods, receive for their services a compensation to be established by law, which shall neither be *increased* nor diminished during the time for which they shall have been elected, and the said officers shall receive no other emolument or allowance whatever." This includes the Governor and Treasurer. Article 4, section 24 says, "The laws of North Carolina, not repugnant to this Constitution, or to the Constitution and laws of the United States, shall be in force until lawfully altered." This last section kept in force all the laws in the Revised Code not altered or repealed. Chapter 102, section 1, Revised Code, has not been altered or repealed and it fixes the salary of the Governor at three thousand dollars and of the Treasurer at two thousand dollars. The point I make is this, the last Legislature passed an act ratified the 3d day of April, 1869, in words and figures, following:

"That the salary of the Governor of the State shall be *five thousand* dollars per annum, and the salary of the Treasurer shall be *three thousand* dollars per annum, *commencing with their term of office*, payable quarterly."

Now, this act passed nearly twelve months after Holden and Jenkins were inaugurated and installed—"during the term for which they were elected." Is this act constitutional? Is it not directly in opposition to the first article and section quoted above—"which shall neither be *increased* nor diminished during the time for which they shall have been elected?" Inquire into it, Mr. Jordan, and see if you are not paying Mars Tod too much for his vetoes.

Truly yours,

"SCALLAWAG."

P. S. By reference to Auditor's report 1869, page 85, you will see that W. W. Holden was paid at the rates of $5000 per annum "from July 1st, 1868 to January 1st, 1869, $2500." On same page "W. W. Holden quarter's salary to April 1st, 1869, $1250."

Look into it, Mr. Jordan. The people know that you will do it. If Mars Tod is getting too much stop it at once.

S.

REMARKS OF

MR. KELSEY, OF MADISON,

On his Substitute for the Bill to Consolidate the Northwestern North Carolina Railroad with the North Carolina Railroad.

MR. SPEAKER: The consolidation of two or more railroads has one good effect if no other, and that is, it lessens the number of officers employed and thereby diminishes the expense. But the present measure is claimed to have a more beneficial result than that. It is believed that the North Carolina Railroad has the power, by its connection with other roads, to forward their completion through means of its credit and financial standing. With this view of the subject I have been induced to present this substitute. The bill for which it is proposed as a substitute provides for the consolidation of the Northwestern Railroad with the North Carolina Railroad, and the substitute changes the bill in no other respect than adding to it the consolidation of the Western Extension to Paint Rock. The State has four millions of dollars invested in the latter road, and it is surely to be desired that it be completed or such assistance given to it as the consolidation would. More perhaps, yes certainly more than half the road is graded from its present head to Paint Rock, which, when reached, opens up a through connection from the Atlantic to the roads of Tennessee, and through them in all directions. But the advantages of success arising from consolidation are not [illegible] islature. Having as it has the interest of the State in charge, it must be [illegible] stock, owned by the State in the Western Extension is endangered, and on failure to prosecute the work, will be inevitably lost in the event, which is probable, that the road and all its equipments and franchises may have to be sold for debts which it is utterly unable to pay, or hope for indulgence while there seems to be no prospect of continuing work thereon. With this bill passed it is thought its credit will be revived to such an extent as to indicate a speedy completion. Of the debt due by the Western Extension there is about two hundred and twenty-five thousand dollars for which is pledged over one million of its bonds, and it is with the holders of said bonds so pledged to put them in suit at any time, take judgment and make sale. This will be a State misfortune, but will fall with less weight on the counties most interested in the road for the reason that they may reasonably expect that the purchaser would have the means and inclination to finish the work. Thus I have, sir, in as [illegible] only so much as perhaps to delay its completion for a time; but that will be cured by furthering the progress of work on the Western Extension which ought to satisfy, as it is thought, all concerned.

For the Sentinel.

RICHMOND, VA., March 23, 1871.

Editors of the Sentinel:—I mark and send you an editorial from the Richmond *Dispatch*. We have had a desperate struggle in our Legislature before we surrendered to the Pennsylvania Central. I think this man Mott's corporation will swallow up your State before you are aware of it.

It may be the policy of your State to sell; but I tell you what I know, the policy of the Pennsylvania Central is to have you sell. They have been and are now secretly at work to this end.

Yours,

W.

For the Sentinel.

[FROM RICHMOND (VA.) DISPATCH, 17th.]

THE FLANK MOVEMENT.

The movement which sets free the Atlantic coast line, begining at Richmond and passing through Petersburg, Wilmington, Manchester, and the cities of South Carolina and Georgia, flanks the Seaboard and Bay monopoly, and will force that line which has inflicted incalculable injury, to fall back and curtail its depredations upon the legetimate commerce of Virginia.

This important advantage so restrains the enemy as to facilitate a movement in Western North Carolina for the relief of the Danville roalroad from the odious and oppressive restrictions put upon it there through the combinations of which the Seaboard road and Bay is the main power.

This view of the matter is important. We cannot see how any representative whose constituents are all interested in the Dranville road can oppose the bill now returned to the Senate selling the State stock in the Richmond and Petersburg road to the "nine Virginians." They have made the movement that thus happily flanks the Seaboard and Bay line. It is the very salvation of the Danville line from the oppressions imposed upon it in North Carolina. It will cut the ligatures put around the Danville line in the North State, which have so shrivelled the business prosperity of the Danville road.

Sustain the flank movement, so "responsive to the interests of Virginia," and all our difficulties in North Carolina will soon be dispelled.

In reference to the foregoing we copy the following from the Norfolk *Virginian*:

A WARNING TO NORTH CAROLINA.

Our sister State has fought two battles with the emisaries of the Pennsylvania Central. The first proposition was to lease the State road, the second to consolidate it with the North Western. On both they were beaten, and the Legislature took the view of their offers presented by the *Sentinel*, which pointed out with great power the disaster to follow the sacrifice of North Carolina interests. But the fight is to be renewed. The Richmond *Dispatch* boldly avows that relief must be had from the "odious and oppressive restrictions" put on Colonel Buford, and says that the victory achieved in this State "is the very salvation of the Danville line from the oppressions imposed on it in North Carolina. It will cut the ligatures put around the Danville line in the North State," &c.

Let North Carolina remember that the Pennsylvania Central deliberately avowed its intention to change the gauge of the road between Greensboro' and Charlotte and see to it that the "ligatures," if any are not put on *her* arteries.